

REMARKS

The Office Action mailed December 31, 2001 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-5 were pending in the application. Claim 1 has been amended and claims 6-12 have been added. No claims have been canceled. Therefore, claims 1-12 are pending in the application and are submitted for reconsideration by the examiner.

§ 112 Rejections

Claims 1-5 were rejected under 35 U.S.C. § 112 as being indefinite for use of the phrase "a surface feature of sufficient definition." In response, Applicant has amended claim 1 to recite "the molded metal part having a thickness less than 1 mm and wherein the as-molded surface is sufficiently smooth so that the surface may be painted directly without further processing." Support for this feature can be found on page 14, lines 10-21 of the specification. Additionally, Applicant notes that this limitation does not require actually painting the molded part, i.e., the part may be used unpainted. As discussed in the specification, prior art methods of forming metallic parts are either incapable of forming parts of the claimed thickness or require substantial additional processing to produce an as-molded surface directly suitable for painting without further processing. Applicant submits that functional limitations of amended claim 1 are definite and therefore requests withdrawal of the rejection.

§ 103 rejections

Claims 1-5 were rejected under 35 U.S.C. § 103 as being obvious over Kalpakjian textbook or Marder et al. Applicant respectfully traverses these rejections. Amended claim 1 recites "the molded metal part having a thickness less than 1 mm and wherein the as-molded surface is sufficiently smooth so that the surface may be painted directly without further processing." This feature is not disclosed in either of the references. Further, as discussed above, prior art methods of forming metallic parts are either incapable of forming parts of the claimed dimensions or require substantial additional processing to produce an as-molded surface directly suitable for painting without further processing. Thus, neither reference can render the presently claimed invention obvious.

Furthermore, new claim 8 is a method claim. Neither Kalpakjian nor Marder et al. teach or suggest the method steps recited in claim 8. Thus, neither reference can anticipate or render obvious claims 8-12.

Conclusion

In view of the foregoing amendments and remarks, applicant respectfully submits that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the examiner is invited to contact the undersigned attorney at the local telephone number below.

Respectfully submitted,

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Attached: Attachment A

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.

ATTACHMENT A

- Marked up version of claim amendments made in the Amendment**
- filed March 29, 2002:**
1. (Amended) A molded metal part produced by a process comprising the steps of:
introducing the melted material into a first chamber;
allowing at least a portion of the melted material to pass through said first chamber into a second chamber, wherein said allowing step comprises creating a suction in the second chamber to draw the portion of the melted material from the first chamber into the second chamber;
pushing at least a portion of the melted material remaining in the first chamber into said second chamber; [and]
injecting the melted material from the second chamber into the mold; and
forming in the mold the molded metal part, the molded metal part having a thickness less than 1 mm and wherein the as-molded surface is sufficiently smooth so that the surface may be painted directly without further processing [a surface feature of sufficient definition that substantial further processing of the surface feature is not necessary].